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B 101

Voluntary Petition for Individuals Filing for Bankruptcy

12/15

The bankruptcy forms use *you* and *Debtor 1* to refer to a debtor filing alone. A married couple may file a bankruptcy case together—called a *joint case*—and in joint cases, these forms use *you* to ask for information from both debtors. For example, if a form asks, "Do you own a car," the answer would be *yes* if either debtor owns a car. When information is needed about the spouses separately, the form uses *Debtor 1* and *Debtor 2* to distinguish between them. In joint cases, one of the spouses must report information as *Debtor 1* and the other as *Debtor 2*. The same person must be *Debtor 1* in all of the forms.

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1:	Identify	Yourself
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		About Debtor 1:	About Debtor 2 (Spouse Only in a Joint Case):	
1.	Your full name			
	Write the name that is on your government-issued picture identification (for example, your driver's license or passport). Bring your picture identification to your meeting	Irma First name Middle name Toth Last name	First name Middle name Last name	
	with the trustee.	Suffix (Sr., Jr., II, III)	Suffix (Sr., Jr., II, III)	
2.	All other names you have used in the last 8 years	Irma First name	First name	
	Include your married or maiden names.	Z. Middle name Toth	Middle name	
		Last name	Last name	
		First name	First name	
		Middle name	Middle name	
		Last name	Last name	
3.	Only the last 4 digits of your Social Security	xxx - xx - <u>8</u> <u>3</u> <u>5</u> <u>8</u>	XXX - XX	
	number or federal Individual Taxpayer Identification number (ITIN)	9 xx - xx	9 xx - xx	

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Debtor 1 Irma Toth

Irma	I oth
First Name	Middle Name

Last Name

Case number (if known)_____

		About Debtor 1:	About Debtor 2 (Spouse Only in a Joint Case):		
4.	Any business names and Employer Identification Numbers (EIN) you have used in the last 8 years	I have not used any business names or EINs. Business name	☐ I have not used any business names or EINs. Business name		
	Include trade names and doing business as names	Business name	Business name		
		EIN	EIN — - — — — — — —		
		EIN	EIN — - — — — — — — —		
5.	Where you live		If Debtor 2 lives at a different address:		
		1749 N. Larrabee Street Number Street	Number Street		
		Apt. H			
		Chicago IL 60614 City State ZIP Code	City State ZIP Code		
		Cook	County		
		If your mailing address is different from the one above, fill it in here. Note that the court will send any notices to you at this mailing address.	If Debtor 2's mailing address is different from yours, fill it in here. Note that the court will send any notices to this mailing address.		
		Number Street	Number Street		
		P.O. Box	P.O. Box		
		City State ZIP Code	City State ZIP Code		
6.	Why you are choosing this district to file for bankruptcy	Check one: ✓ Over the last 180 days before filing this petition, I have lived in this district longer than in any other district. ☐ I have another reason. Explain. (See 28 U.S.C. § 1408.)	Check one: Over the last 180 days before filing this petition, I have lived in this district longer than in any other district. I have another reason. Explain. (See 28 U.S.C. § 1408.)		

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Debtor 1

Irma Toth
First Name Middle Name

Last Name

Case number (if known)_

Pa	Tell the Court Abou	ıt Your B	ankrup	otcy Case				
7.	The chapter of the Bankruptcy Code you			e. (For a brief description of each, see Notice Required by 11 U.S.C. § 342(b) for Individuals Filing uptcy (Form 2010)). Also, go to the top of page 1 and check the appropriate box.				
	are choosing to file under	☑ Chap	oter 7					
		☐ Chap	oter 11					
		☐ Chap	oter 12					
		☐ Chap	oter 13					
8.	How you will pay the fee	local your subr	court f self, yo nitting y	pay the entire fee when I file my petition. Please check with the clerk's office in your court for more details about how you may pay. Typically, if you are paying the fee self, you may pay with cash, cashier's check, or money order. If your attorney is nitting your payment on your behalf, your attorney may pay with a credit card or check a pre-printed address.				
				ay the fee in installments. If you				
		Αρρι	ication	for Individuals to Pay The Filing I	ree III IIIstaiiiile	ms (Official Form 103A).		
		By la less pay	quest that my fee be waived (You may request this option only if you are filing for Chapter 7. aw, a judge may, but is not required to, waive your fee, and may do so only if your income is than 150% of the official poverty line that applies to your family size and you are unable to the fee in installments). If you choose this option, you must fill out the <i>Application to Have the pter 7 Filing Fee Waived</i> (Official Form 103B) and file it with your petition.					
9.	Have you filed for	☑ No						
	bankruptcy within the last 8 years?	☐ Yes.	District	When		Case number		
	-		Diatriot					
			DISTRICT	When	MM / DD / YYYY	Case number		
			District	When	MM / DD / YYYY	Case number		
10.	Are any bankruptcy	⊿ No						
	cases pending or being filed by a spouse who is	☐ Yes.	Debtor			Relationship to you		
	not filing this case with you, or by a business partner, or by an affiliate?		District	When	MM / DD / YYYY	Case number, if known		
			Debtor			Relationship to you		
			District	When	MM / DD / YYYY	Case number, if known		
11.	Do you rent your residence?	☑ No. ☐ Yes.	Go to li Has yo	our landlord obtained an eviction judgi	ment against you	and do you want to stay in your		
			 □ No. Go to line 12. □ Yes. Fill out <i>Initial Statement About an Eviction Judgment Against You</i> (Form 101A) and file it with this bankruptcy petition. 					

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Debtor 1 Irma Toth
First Name Middle Name Last Name Case number (if known)______

A sole proprietorship is a business you operate as an individual, and is not a separate legal entity such as a corporation, partnership, or LLC. If you have more than one sole proprietorship, use a separate sheet and attach it to this petition. If you have more than one sole proprietorship, use a separate sheet and attach it to this petition. City	. Are you a sole proprietor	☑ No. Go to Part 4.					
Name of business, if any Name is accorpation, cast of the definition in 11 U.S.C. § 101(27A)	of any full- or part-time business?	☐ Yes. Name and location of bu	usiness				
Name of business, if any separate legal entity such as a corporation, partnership, or LLC. If you have more than one sole proprietorship, use a separate sheet and attach it to this petition. City State ZiP Code Check the appropriate box to describe your business: Health Care Business (as defined in 11 U.S.C. § 101(27A)) Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B)) Commodity Broker (as defined in 11 U.S.C. § 101(53A)) Commodity Broker (as defined in 11 U.S.C. § 101(53A)) None of the above Are you filing under Chapter 11 of the Bankruptoy Code and are you a Small business debtor are search belance sheet, statement of operations, cash-flow statement, and federal income tax return any of these documents do not exist, follow the procedure in 11 U.S.C. § 116(1)B). No. I am not filing under Chapter 11, but I am NOT a small business debtor according to the definition in the Bankruptoy Code. Yes. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptoy Code. Yes. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptoy Code. Yes. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptoy Code. Yes. What is the hazard? If immediate attention? For example, do you own portshable goods, or livestock that must be fed, or a building that needs urgent repairs? Where is the property?							
If you have more than one sole proprietorship, use a separate sheet and attach it to this petition. City	individual, and is not a separate legal entity such as						
sole proprietorship, use a separate sheet and attach it to this petition. City		Number Street					
City Check the appropriate box to describe your business: Health Care Business (as defined in 11 U.S.C. § 101(27A)) Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B)) Stockbroker (as defined in 11 U.S.C. § 101(53A)) Commodity Broker (as defined in 11 U.S.C. § 101(65B)) None of the above Hyou are filing under Chapter 11 of the Bankruptcy Code and are you a small business debtor. Year of the establing of	sole proprietorship, use a separate sheet and attach it						
Health Care Business (as defined in 11 U.S.C. § 101(27A)) Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B)) Stockbroker (as defined in 11 U.S.C. § 101(53A)) Commodity Broker (as defined in 11 U.S.C. § 101(6)) None of the above If you are filing under Chapter 11, the court must know whether you are a small business debtor so that it can set appropriate deadlines. If you indicate that you are a small business debtor, you must attach your area you a small business debtor, see 11 U.S.C. § 101(51D). No. I am not filing under Chapter 11, the court must know whether you are a small business debtor, you must attach your area you are a small business debtor, you must attach your most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return of any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B). No. I am not filing under Chapter 11. No. I am filing under Chapter 11. No. I am filing under Chapter 11. No. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. Yes. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. Yes. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. Yes. What is the hazard of U.S.C. § 101(51D). Yes. What is the hazard? Yes. What is the property in the definition in the Bankruptcy Code. Yes. What is the hazard? Yes. What is the hazard? Yes. What is the hazard? Yes. What is the property in the definition in the Bankruptcy Code. Yes. What is the hazard	to this petition.	City	State ZIP Code				
Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B)) Stockbroker (as defined in 11 U.S.C. § 101(53A)) Commodity Broker (as defined in 11 U.S.C. § 101(6)) None of the above Are you filling under Chapter 11 of the Bankruptcy Code and are you a small business debtor so that it can set appropriate deadlines. If you indicate that you are a small business debtor, you must attach your most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return of the definition of small business debtor, see No. I am not filing under Chapter 11, but I am NOT a small business debtor according to the definition in the Bankruptcy Code. Yes. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. Yes. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. Yes. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. Yes. What is the hazard? Yes. What is the hazard? If immediate attention is needed, why is it needed? If immediate attention is needed, why is it needed? If immediate attention is needed, why is it needed? If immediate attention is needed, why is it needed? If immediate attention is the property? If immediate is the property If immediate is the property If immediate is the property If		Check the appropriate b	box to describe your business:				
Stockbroker (as defined in 11 U.S.C. § 101(53A)) □ Commodity Broker (as defined in 11 U.S.C. § 101(6)) □ None of the above If you are a small business debtor so that it can set appropriate deadlines. If you indicate that you are a small business debtor, you must attach your most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return cany of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B). ☑ No. I am not filling under Chapter 11. □ No. I am filling under Chapter 11. □ No. I am filling under Chapter 11. □ No. I am filling under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. □ Yes. I am filling under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. □ Yes. I am filling under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. □ Yes. I am filling under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. □ Yes. I am filling under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. □ Yes. I am filling under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. □ Yes. I am filling under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. □ Yes. I am filling under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. □ Yes. I am filling under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. □ Yes. I am filling under Chapter 11, but I am NOT a small business debtor according to the definition in the Bankruptcy Code. □ Yes. I am filling under Chapter 11, but I am NOT a small business debtor according to the definition in the Bankruptcy Code. □ Yes I am filling under Chapter 11, but I am NOT a small business debtor according to the defini							
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Are you filing under Chapter 11 of the Bankruptcy Code and are you a small business debtor so that it can set appropriate deadlines. If you indicate that you are a small business debtor, you must attach your may be deadlines and are you a small business debtor? For a definition of small business debtor, see 11 U.S.C. § 101(51D). No. I am not filing under Chapter 11. No. I am filing under Chapter 11. No. I am filing under Chapter 11, but I am NOT a small business debtor according to the definition in the Bankruptcy Code. Pers. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. Poyou own or have any property that poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety? Or do you own any property that needs immediate attention? For example, do you own perishable goods, or livestock that must be fed, or a building that needs urgent repairs? Where is the property? Where is the property?		☐ Stockbroker (as defi	ined in 11 U.S.C. § 101(53A))				
Are you filing under Chapter 11 of the Bankruptcy Code and are you a small business debtor so that is can set appropriate deadlines. If you indicate that you are a small business debtor, you must attach your may be debtor? For a definition of small business debtor, see 11 U.S.C. § 101(51D). No. I am not filing under Chapter 11, but I am NOT a small business debtor according to the definition in the Bankruptcy Code. No. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. Per a definition of small business debtor according to the definition in the Bankruptcy Code. No. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. No. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. No. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. No. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. No. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. No. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. No. I am filing under Chapter 11 and I am a small business debtor according to the definition in the Bankruptcy Code. I we will be a small business debtor according to the definition in the Bankruptcy Code. I we will be a small business debtor according to the definition in the Bankruptcy Code. I we will be a small business debtor according to the definition in the Bankruptcy Code. I we will be a small business debtor according to the definition in the Bankruptcy Code. I we will be a small business debtor according to the definition in the Bankruptcy Code. I we will be a small business debtor according to the definition in the Bankruptcy Code. I we will be a small business debtor		☐ Commodity Broker (☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))				
Chapter 11 of the Bankruptcy Code and are you a small business debtor? For a definition of small business debtor, see 11 U.S.C. § 101(51D). The Bankruptcy Code and are you a small business debtor? For a definition of small business debtor, see 11 U.S.C. § 101(51D). The Bankruptcy Code and are you a small business debtor, see 11 U.S.C. § 101(51D). The Bankruptcy Code. The Bankruptcy Code and are you a small business debtor, see 11 U.S.C. § 101(51D). The Bankruptcy Code. T		■ None of the above					
Do you own or have any property that poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety? Or do you own any property that needs immediate attention? For example, do you own perishable goods, or livestock that must be fed, or a building that needs urgent repairs? What is the hazard? If immediate attention is needed, why is it needed? Where is the property?	business debtor, see	No. I am filing under Chapte the Bankruptcy Code.☐ Yes. I am filing under Chapte	o. I am filing under Chapter 11, but I am NOT a small business debtor according to the definition in the Bankruptcy Code. es. I am filing under Chapter 11 and I am a small business debtor according to the definition in the				
property that poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety? Or do you own any property that needs immediate attention? For example, do you own perishable goods, or livestock that must be fed, or a building that needs urgent repairs? What is the hazard? If immediate attention is needed, why is it needed? Where is the property?	art 4: Report if You Own	or Have Any Hazardous Prop	perty or Any Property That Needs Immediate Attention				
alleged to pose a threat of imminent and identifiable hazard to public health or safety? Or do you own any property that needs immediate attention? For example, do you own perishable goods, or livestock that must be fed, or a building that needs urgent repairs? What is the hazard? If immediate attention is needed, why is it needed? Where is the property?		☑ No					
Or do you own any property that needs immediate attention? For example, do you own perishable goods, or livestock that must be fed, or a building that needs urgent repairs? Where is the property?	alleged to pose a threat of imminent and identifiable hazard to	☐ Yes. What is the hazard?					
perishable goods, or livestock that must be fed, or a building that needs urgent repairs? Where is the property?	Or do you own any property that needs immediate attention?	If immediate attention i	is needed, why is it needed?				
	perishable goods, or livestock that must be fed, or a building						
		Where is the property?					
City State ZIP Code							

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Irma Toth

Last Namo

Case number (if known)

Part 5:

Debtor 1

Explain Your Efforts to Receive a Briefing About Credit Counseling

 Tell the court whether you have received a briefing about credit counseling.

The law requires that you receive a briefing about credit counseling before you file for bankruptcy. You must truthfully check one of the following choices. If you cannot do so, you are not eligible to file.

If you file anyway, the court can dismiss your case, you will lose whatever filing fee you paid, and your creditors can begin collection activities again.

About Debtor 1:

You must check one:

I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

☐ I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.

Within 14 days after you file this bankruptcy petition, you MUST file a copy of the certificate and payment plan, if any.

☐ I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy.

If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

_	I I am not required to receive a briefing	about
	credit counseling because of:	

☐ Incapacity. I have a mental illness or a mental deficiency that makes me

incapable of realizing or making rational decisions about finances.

☐ **Disability.** My physical disability causes me to be unable to participate in a

briefing in person, by phone, or through the internet, even after I reasonably tried to do so.

Active duty. I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver of credit counseling with the court.

About Debtor 2 (Spouse Only in a Joint Case):

You must check one:

 ☐ I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

☐ I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.

Within 14 days after you file this bankruptcy petition, you MUST file a copy of the certificate and payment plan, if any.

☐ I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy.

If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

I am	not	require	d to	receiv	e a	briefing	about
		unselin					

☐ Incapacity. I have a mental illness or a mental

deficiency that makes me incapable of realizing or making rational decisions about finances.

Disability. My physical disability causes me to be unable to participate in a

briefing in person, by phone, or through the internet, even after I reasonably tried to do so.

Active duty. I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver of credit counseling with the court.

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Debtor 1 Anthony L. Thill First Name Middle Name Last Name		Case number (if known)			
Part 6: Answer These Ques	stions for Reporting Purpos	ses			
6. What kind of debts do you have?	16a. Are your debts prima as "incurred by an individu	rily consumer debts? Consumer debts all primarily for a personal, family, or house	s are defined in 11 U.S.C. § 101(8) ehold purpose."		
you nave:	No. Go to line 16b.✓ Yes. Go to line 17.				
	16b. Are your debts prima money for a business or in	rily business debts? Business debts anvestment or through the operation of the b	re debts that you incurred to obtain ousiness or investment.		
	No. Go to line 16c. Yes. Go to line 17.				
	16c. State the type of debts yo	u owe that are not consumer debts or busi	ness debts.		
7. Are you filing under Chapter 7?	✓ No. I am not filing under C	Chapter 7. Go to line 18.			
Do you estimate that after	Yes. I am filing under Chap	oter 7. Do you estimate that after any exemines are paid that funds will be available to d	pt property is excluded and distribute to unsecured creditors?		
any exempt property is excluded and	□ No				
administrative expenses are paid that funds will be available for distribution to unsecured creditors?	Yes				
8. How many creditors do	1 -49	1 ,000-5,000	25,001-50,000		
you estimate that you	5 0-99	5,001-10,000	50,001-100,000		
owe?	☐ 100-199 ☐ 200-999	1 0,001-25,000	☐ More than 100,000		
19. How much do you	30-\$50,000	☐ \$1,000,001-\$10 million	\$500,000,001-\$1 billion		
estimate your assets to	\$50,001-\$100,000	\$10,000,001-\$50 million	\$1,000,000,001-\$10 billion \$10,000,000,001-\$50 billion		
be worth?	✓ \$100,001-\$500,000 ☐ \$500,001-\$1 million	□ \$50,000,001-\$100 million □ \$100,000,001-\$500 million	☐ \$10,000,000,001-\$50 billion		
20. How much do you	\$0-\$50,000	■ \$1,000,001-\$10 million	□ \$500,000,001-\$1 billion		
estimate your liabilities	\$50,001-\$100,000	■ \$10,000,001-\$50 million	\$1,000,000,001-\$10 billion		
to be?	✓ \$100,001-\$500,000 □ \$500,001-\$1 million	□ \$50,000,001-\$100 million □ \$100,000,001-\$500 million	☐ \$10,000,000,001-\$50 billion☐ More than \$50 billion		
Part 7: Sign Below					
For you	I have examined this petition, and I declare under penalty of perjury that the information provided is true and correct.				
	If I have chosen to file under Chapter 7, I am aware that I may proceed, if eligible, under Chapter 7, 11,12, or 13 of title 11, United States Code. I understand the relief available under each chapter, and I choose to proceed under Chapter 7.				
	this document, I have obtaine	and I did not pay or agree to pay someone d and read the notice required by 11 U.S.0	5. 9 342(0).		
		with the chapter of title 11, United States 0			
	I understand making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 134/, \$519, and 3571.				
	* a.v He	<u> </u>			
	Signature of Debtor 1	Signatur	re of Debtor 2		
	Executed on (12-03	$\frac{2-3C}{\sqrt{2}}$ Execute	d on		

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Debtor 1 Anthony L. Thi	<u> </u>	Case number (if known)		
For your attorney, if you are represented by one If you are not represented by an attorney, you do not need to file this page.	I, the attorney for the debtor(s) named in this petition, declare that I have informed the debtor(s) about to proceed under Chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relie available under each chapter for which the person is eligible. I also certify that I have delivered to the the notice required by 11 U.S.C. § 342(b) and, in a case in which § 707(b)(4)(D) applies, certify that I have delivered to the knowledge after an inquiry that the information in the schedules filed with the petition is incorrect. Martin J. O'Hearn Printed name Law Offices of Martin J. O'Hearn Firm name 10047 South Western Avenue Number Street			
	Chicago City	IL State	60643 ZIP Code	
	Contact phone (773) 238-4400	Email address	martinohearnlaw@sbcglobal.net	
	6185904 Bar number	IL State		

Notice Required by 11 U.S.C. § 342(b) for Individuals Filing for Bankruptcy (Form 2010)

This notice is for you if:

- You are an individual filing for bankruptcy, and
- Your debts are primarily consumer debts. Consumer debts are defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."

The types of bankruptcy that are available to individuals

Individuals who meet the qualifications may file under one of four different chapters of the Bankruptcy Code:

- Chapter 7 Liquidation
- Chapter 11— Reorganization
- Chapter 12— Voluntary repayment plan for family farmers or fishermen
- Chapter 13— Voluntary repayment plan for individuals with regular income

You should have an attorney review your decision to file for bankruptcy and the choice of chapter.

Chapter 7:	Liquidation	
\$245	filing fee	
	administrative fee	
+ \$15	trustee surcharge	
\$335	total fee	

Chapter 7 is for individuals who have financial difficulty preventing them from paying their debts and who are willing to allow their non-exempt property to be used to pay their creditors. The primary purpose of filing under chapter 7 is to have your debts discharged. The bankruptcy discharge relieves you after bankruptcy from having to pay many of your pre-bankruptcy debts. Exceptions exist for particular debts, and liens on property may still be enforced after discharge. For example, a creditor may have the right to foreclose a home mortgage or repossess an automobile.

However, if the court finds that you have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge.

You should know that even if you file chapter 7 and you receive a discharge, some debts are not discharged under the law.

Therefore, you may still be responsible to pay:

- most taxes;
- most student loans;
- domestic support and property settlement obligations;

- most fines, penalties, forfeitures, and criminal restitution obligations; and
- certain debts that are not listed in your bankruptcy papers.

You may also be required to pay debts arising from:

- fraud or theft;
- fraud or defalcation while acting in breach of fiduciary capacity;
- intentional injuries that you inflicted; and
- death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs.

If your debts are primarily consumer debts, the court can dismiss your chapter 7 case if it finds that you have enough income to repay creditors a certain amount. You must file *Chapter 7 Statement of Your Current Monthly Income* (Official Form 122A–1) if you are an individual filing for bankruptcy under chapter 7. This form will determine your current monthly income and compare whether your income is more than the median income that applies in your state.

If your income is not above the median for your state, you will not have to complete the other chapter 7 form, the *Chapter 7 Means Test Calculation* (Official Form 122A–2).

If your income is above the median for your state, you must file a second form —the *Chapter 7 Means Test Calculation* (Official Form 122A–2). The calculations on the form—sometimes called the *Means Test*—deduct from your income living expenses and payments on certain debts to determine any amount available to pay unsecured creditors. If

your income is more than the median income for your state of residence and family size, depending on the results of the *Means Test*, the U.S. trustee, bankruptcy administrator, or creditors can file a motion to dismiss your case under § 707(b) of the Bankruptcy Code. If a motion is filed, the court will decide if your case should be dismissed. To avoid dismissal, you may choose to proceed under another chapter of the Bankruptcy Code.

If you are an individual filing for chapter 7 bankruptcy, the trustee may sell your property to pay your debts, subject to your right to exempt the property or a portion of the proceeds from the sale of the property. The property, and the proceeds from property that your bankruptcy trustee sells or liquidates that you are entitled to, is called *exempt property*. Exemptions may enable you to keep your home, a car, clothing, and household items or to receive some of the proceeds if the property is sold.

Exemptions are not automatic. To exempt property, you must list it on *Schedule C: The Property You Claim as Exempt* (Official Form 106C). If you do not list the property, the trustee may sell it and pay all of the proceeds to your creditors.

Chapter 11: Reorganization

\$1,167 filing fee

+ \$550 administrative fee

\$1,717 total fee

Chapter 11 is often used for reorganizing a business, but is also available to individuals. The provisions of chapter 11 are too complicated to summarize briefly.

Read These Important Warnings

Because bankruptcy can have serious long-term financial and legal consequences, including loss of your property, you should hire an attorney and carefully consider all of your options before you file. Only an attorney can give you legal advice about what can happen as a result of filing for bankruptcy and what your options are. If you do file for bankruptcy, an attorney can help you fill out the forms properly and protect you, your family, your home, and your possessions.

Although the law allows you to represent yourself in bankruptcy court, you should understand that many people find it difficult to represent themselves successfully. The rules are technical, and a mistake or inaction may harm you. If you file without an attorney, you are still responsible for knowing and following all of the legal requirements.

You should not file for bankruptcy if you are not eligible to file or if you do not intend to file the necessary documents.

Bankruptcy fraud is a serious crime; you could be fined and imprisoned if you commit fraud in your bankruptcy case. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Chapter 12: Repayment plan for family farmers or fishermen

	\$200	filing fee
+	\$75	administrative fee
	\$275	total fee

Similar to chapter 13, chapter 12 permits family farmers and fishermen to repay their debts over a period of time using future earnings and to discharge some debts that are not paid.

Chapter 13: Repayment plan for individuals with regular income

	\$235	filing fee
+	\$75	administrative fee
	\$310	total fee

Chapter 13 is for individuals who have regular income and would like to pay all or part of their debts in installments over a period of time and to discharge some debts that are not paid. You are eligible for chapter 13 only if your debts are not more than certain dollar amounts set forth in 11 U.S.C. § 109.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, usually using your future earnings. If the court approves your plan, the court will allow you to repay your debts, as adjusted by the plan, within 3 years or 5 years, depending on your income and other factors.

After you make all the payments under your plan, many of your debts are discharged. The debts that are not discharged and that you may still be responsible to pay include:

- domestic support obligations,
- most student loans,
- certain taxes,
- debts for fraud or theft,
- debts for fraud or defalcation while acting in a fiduciary capacity,
- most criminal fines and restitution obligations,
- certain debts that are not listed in your bankruptcy papers,
- certain debts for acts that caused death or personal injury, and
- certain long-term secured debts.

Warning: File Your Forms on Time

Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information about your creditors, assets, liabilities, income, expenses and general financial condition. The court may dismiss your bankruptcy case if you do not file this information within the deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

For more information about the documents and their deadlines, go to:

<u>http://www.uscourts.gov/bkforms/bankruptcy_form_s.html#procedure.</u>

Bankruptcy crimes have serious consequences

- If you knowingly and fraudulently conceal assets or make a false oath or statement under penalty of perjury—either orally or in writing—in connection with a bankruptcy case, you may be fined, imprisoned, or both.
- All information you supply in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the U.S. Trustee, the Office of the U.S. Attorney, and other offices and employees of the U.S. Department of Justice.

Make sure the court has your mailing address

The bankruptcy court sends notices to the mailing address you list on *Voluntary Petition* for *Individuals Filing for Bankruptcy* (Official Form 101). To ensure that you receive information about your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address.

A married couple may file a bankruptcy case together—called a *joint case*. If you file a joint case and each spouse lists the same mailing address on the bankruptcy petition, the bankruptcy court generally will mail you and your spouse one copy of each notice, unless you file a statement with the court asking that each spouse receive separate copies.

Understand which services you could receive from credit counseling agencies

The law generally requires that you receive a credit counseling briefing from an approved credit counseling agency. 11 U.S.C. § 109(h). If you are filing a joint case, both spouses must receive the briefing. With limited exceptions, you must receive it within the 180 days **before** you file your bankruptcy petition. This briefing is usually conducted by telephone or on the Internet.

In addition, after filing a bankruptcy case, you generally must complete a financial management instructional course before you can receive a discharge. If you are filing a joint case, both spouses must complete the course.

You can obtain the list of agencies approved to provide both the briefing and the instructional course from:

http://justice.gov/ust/eo/hapcpa/ccde/cc_approved.html.

In Alabama and North Carolina, go to: http://www.uscourts.gov/FederalCourts/Bankruptcy/Bankru

If you do not have access to a computer, the clerk of the bankruptcy court may be able to help you obtain the list.